



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3239 OF 2023**

Shivaji @ Bapu Sopan Nanaware
versus
State of Maharashtra

... Applicant
... Respondent

Mr. Yuvraj A. Tajane, for Applicant.
Smt. A.A.Takalkar, APP for State.
Mr. B.J.Rathod, PSI, Solapur Taluka Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 10 NOVEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.602 of 2023 registered with Solapur Taluka Police Station for the offences punishable under Sections 354, 452, 506 of the Indian Penal Code.
3. The first informant lodged a report on 19 September 2023 with the allegations that the applicant had visited her house at the dead of night and tried to outrage her modesty. The applicant had threatened the first informant with dire consequences if the applicant's husband did not change the political affiliation.
4. Learned Counsel for the Applicant submitted that the incident allegedly occurred on 19 September 2023 and the FIR came to be lodged on 4 October 2023. The said report was lodged as a counter blast to the complaint which was lodged by

the applicant with the police on 21 January 2023 against the husband of the first informant.

5. I have perused the allegations in the FIR. Prima facie, it appears that the applicant and the husband of the first informant are political rivals. There is a reference to the particular rivalry in the FIR. In the backdrop of the prima facie inimical nature of the relationship between the applicant and the first informant and her family members, the veracity of the allegations would be a matter for trial, especially when the incident allegedly occurred at the dead of the night. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

6. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Shivaji @ Bapu Sopan Nanaware in connection with C.R.No.602 of 2023 registered with Solapur Taluka Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to Solapur Taluka Police Station on 22nd, 23rd and 24th November 2023 in between 10.00 a.m. to 1.00 p.m., and, thereafter, as and when directed.

(iii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses and the persons

acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(vi) It is clarified that these prima facie observations are confined to determine the entitlement to pre-arrest bail only.

(N.J.JAMADAR, J.)